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Alchul's comments
incorporated into
rev 1. 7/25/01

ACTION MEMORANDUM

DATE:

SUBJECT: Request for Restart and 12-month exemption for Removal Action at the Cornell-Dubilier Electronics Site, South Plainfield, Middlesex County, New Jersey

FROM: Eric J. Wilson, On-Scene Coordinator
Removal Action Branch

TO: Richard L. Caspe, Director
Emergency and Remedial Response Division

THRU: Richard C. Salkie, Chief
Removal Action Branch

Site ID #: GZ

I. PURPOSE

The purpose of this Action Memorandum is to request a restart and 12-month exemption for the removal action described herein for the Cornell-Dubilier Electronics Site (Site), located in South Plainfield, Middlesex County, New Jersey 07080.

The proposed action involves the removal and disposal of contaminated soil from a residential property located at 126 Spicer Avenue in South Plainfield and restoration of the property to pre-removal conditions. The estimated cost for this work is \$93,971. A review of funding and cost information for previously approved actions at the Site indicates that sufficient funds are available to cover the cost of the proposed action. As such, the overall project ceiling of \$425,000 remains unchanged.

CONCURRENCES

Name: Cornell-Dubilier Init: ew Date: July 24, 2001 Filename: AM_126Spicer.wpd

Symbol	ERRD-RAB	ERRD-RAB	ERRD-RAB	ORC-NJSUP	ORC-NJSUP	ERRD-DD	ERRD-D	
Surname	Wilson	Rotola	Salkie	Sundram	Karlen	McCabe	Caspe	
Date								

Conditions at the Site continue to meet the criteria for a removal action under Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as documented in Section 300.415(b)(2) of the National Contingency Plan (NCP). The Site is on the National Priorities List (NPL). There are no nationally significant or precedent-setting issues associated with this removal action.

II. SITE CONDITIONS AND BACKGROUND

The Comprehensive Environmental Response, Compensation and Liability Information System ID Number for the Site is NJD981557879.

A. Site Description

1. Removal site evaluation

Cornell-Dubilier Electronics operated at the Hamilton Industrial Park from 1936 to 1962 manufacturing electronic parts and components, including capacitors. It is reported that Cornell-Dubilier tested transformer oils for an unknown period of time and that polychlorinated biphenyl (PCB) contaminated materials and other hazardous substances were deposited directly onto soils at the industrial park. 4

EPA conducted sampling at the Site in June 1994, October 1994 and February 1996 for a Site Inspection Prioritization documenting the release of hazardous substances to the environment. Elevated concentrations of volatile organic compounds, semi-volatile organic compounds, PCBs and inorganic constituents were found in soils at the industrial park. PCBs were also detected in surface waters and sediment of the Bound Brook downstream of the Site at concentrations above background. The Site is a facility as defined within the meaning of Section 101(9) of CERCLA.

In response to a referral from EPA Monitoring and Assessment Branch, a Removal Site Evaluation (RSE) was conducted by the U.S. Environmental Protection Agency (EPA) Removal Action Branch between March 1996 and January 1997. Contamination of site soils and surface waters and sediments of the Bound Brook was confirmed during the RSE. Based on the findings of the RSE, the Site was determined to be eligible for CERCLA removal action.

The Site was referred to EPA for removal action consideration by the New Jersey Department of Environmental Protection (NJDEP) on April 2, 1997.

PCBs were detected in soil samples and samples of interior house dust collected from residential properties located near the industrial park between June 1997 and November 1998.

2. Physical location

The Cornell- Dubilier Electronics Site is located in a mixed industrial, commercial and residential area of South Plainfield, New Jersey and consists of the Hamilton Industrial Park, adjacent contaminated residential and commercial properties and contaminated portions of the Bound Brook downstream of the industrial park.

The Hamilton Industrial Park occupies approximately 25 acres and is bordered by commercial property, residences, wetlands and the Bound Brook. Cornell-Dubilier Electronics operated at the Site from 1936 to 1962. The current owner of the industrial park is DSC of Newark, Inc.

Residential homes are located on Spicer Avenue and on Hamilton Boulevard within 100 feet of the Site. It is estimated that 540 persons reside within 0.25 miles of the Site. The total population estimated to live within one mile of the Site is 8,700 persons.

The residential property proposed for removal action is located southwest of the industrial park at 126 Spicer Avenue in South Plainfield. This property is identified as Block 337 Lots 14, 14.01 and 15 on the Tax Map of South Plainfield, NJ. A site location map is included as Figure 1, in Appendix A.

3. Site characteristics

During its years of operation at the Site (1936 to 1962), Cornell-Dubilier Electronics, Inc. manufactured electronic parts and components, including capacitors. In addition, it is reported that Cornell-Dubilier Electronics, Inc. tested transformer oils for an unknown period of time until they vacated the Site. It is alleged that during their operations, Cornell-Dubilier Electronics, Inc. dumped PCB-contaminated materials and other hazardous substances directly onto site soils.

The Hamilton Industrial Park and is occupied by approximately 15 businesses. The owner of the property is DSC Enterprises of Newark, Inc. Through the years, dozens of companies have operated at the Site as tenants.

The proposed action is a restart. Previous removal actions at the Site are described in Section II B of this memorandum.

4. Release or threatened release into the environment of a hazardous substance, or pollutant, or contaminant

The results of EPA's sampling and analyses indicate elevated concentrations of volatile organic compounds (VOCs), semi-volatile organic compounds, PCBs and inorganic constituents in the soils at the industrial park. Building interiors at the industrial park were found to contain elevated levels of PCBs and metals. Investigations conducted by EPA in the community surrounding the industrial park have revealed the presence of PCBs in soils and in house dust at several residences located near the industrial park. Fish collected from the Bound Brook were found to contain PCBs at concentrations higher than allowed by the Food and Drug Administration.

PCBs have migrated from the industrial park to adjacent residential properties. As part of removal investigation activities, EPA collected soil and indoor dust samples from residential properties located near the industrial park between June 1997 and November 1998. PCBs were detected at concentration up to 22 ppm in soil and 205 ppm in indoor dust.

In November 1998 EPA collected soil samples at 31 locations from the residential property at 126 Spicer Avenue. PCBs were detected in soil samples at concentrations ranging from 0.34 ppm to 6.2 ppm. Two indoor dust samples were also collected from this property. PCBs were detected in indoor dust samples collected at concentrations of 0.23 ppm and 0.66 ppm.

Polychlorinated biphenyls are hazardous substances as defined by Section 101 (14) of CERCLA as amended by the Superfund Amendments and Reauthorization Act.

5. NPL status

The Site was added to the NPL on July 27, 1998.

6. Maps, pictures, and other graphics representations

Figures included in Appendix A provide the location of the Site and sampling locations at 126 Spicer Avenue.

B. Other Actions to Date

1. Previous actions

On March 25, 1997 a Unilateral Administrative Order (UAO) was issued to DSC of Newark (DSC) which required a removal action be taken to stabilize the site. The scope of work specified in the order included the paving of facility driveways and parking areas, instituting access controls and installing drainage controls to limit off-site migration of contaminants through surface water run-off. The work plan for this action was approved by EPA on June 11, 1997. Implementation of the work plan was initiated July 7, 1997. Paving of driveways and parking areas, installation of security fence and warning signs and installation of drainage controls were completed on January 16, 1998 at a cost of \$391,255. DSC has been notified of additional removal actions required to stabilize the site. On October 8, 1999 EPA required DSC to characterize remove and dispose of stockpiled waste which was accumulated on-site and to repair drainage controls. On May 3, 2000 DSC was required to characterize remove and dispose of 12 drums and numerous 5-gallon pails of unknown materials discovered by EPA while clearing the site in preparation for the remedial investigation. On December 4, 2000 DSC was required to make repairs to fences installed to restrict access to areas of known contamination. The additional removal actions listed above have been completed by DSC. A report documenting actions taken by DSC to comply with the UAO remains to be completed.

On August 7, 1997, EPA initiated a removal action to fabricate and post signs warning anglers

not to eat fish taken from the Bound Brook and New Market Pond. PCBs were found in samples collected of edible fish taken from these waters. On the morning of August 8, 1997, EPA and the NJDEP met with elected officials from the affected communities to inform them of these sampling results and planned actions to address public health concerns. Later that day, in a joint press conference, EPA announced the results of the edible fish sampling and NJDEP announced the interim fish consumption advisory for the Bound Brook. Warning signs were installed at access points to the Bound Brook and New Market Pond on August 8 and 9, 1997. This removal action was completed August 9, 1997 at a cost of \$3,487.

In August 1998 Cornell-Dubilier Electronics and DSC of Newark entered into an Administrative Consent Order for a removal action which included the removal and disposal of PCB contaminated soil from six residential properties. The work plan for this action was approved by EPA on December 12, 1998. Implementation of the approved work plan was initiated March 15 1999. This removal action was completed on September 16, 1999 at a cost of \$477,054.

In March 1999, Cornell-Dubilier Electronics and Dana Corporation entered into an Administrative Consent Order for a removal action which included removal and disposal of PCB contaminated soil from an additional seven residential properties. In April 1999, EPA ordered DSC of Newark and Federal Pacific Electric to participate and cooperate in this removal action. The work plan for this action was approved by EPA on August 26, 1999. Implementation of the approved work plan was initiated September 23, 1999. This removal action was completed September 29, 2000 at a cost of \$323,424.

On March 29, 1998, EPA initiated a removal action to clean the interiors of homes where PCBs were found in indoor house dust at levels of potential public health concern. The cleaning was initiated on April 4, 1998 and completed April 26, 1998. Seven homes (Tier 1) were cleaned during the first phase of this removal action. Post-cleaning indoor dust samples were collected to determine the effectiveness of the cleaning. Indoor dust samples were collected from an additional 29 homes (Tier 2) between April and October 1998. Based on the results of this sampling additional actions were required at three Tier 1 homes cleaned in April 1998 and at eight Tier 2 homes. In February 1999, one of the Tier 1 homes and four of the Tier 2 homes were cleaned. Removal activities at the remaining six homes were completed in March 2000 after completion of PRP-lead soil removal at these properties. A total of fifteen homes were cleaned during the course of this removal action. This removal action was completed March 21, 2000 at a cost of \$ 243,535.

2. Current actions

In June 2000, DSC entered into an Administrative Consent Order (Index Number: CERCLA-02-2000-2005) for a removal action at the residential property at 126 Spicer Avenue in South Plainfield, NJ. The work required by this order included: delineation of the extent of PCB contamination at this property; excavation, removal and disposal of PCB contaminated soil and restoration of the property to pre-removal conditions. The work plan for this action was

approved by EPA on November 1, 2000. DSC did not meet the schedule specified in the work plan or properly notify EPA of delay in performance in accordance with the terms of the order. On March 27, 2001 EPA met with representatives of DSC, discussed areas of non-compliance with the order and provided DSC with a schedule of the actions necessary to come into compliance with the order. On May 10, 2001, EPA notified DSC that plans submitted as a follow up to this meeting were deficient and set a schedule for correcting the deficiencies. Revised plans were not provided within the schedule established. DSC has repeatedly failed to perform the work specified in the order promptly and properly. As a result of this failure, a fund-lead takeover of the work is necessary to protect public health or welfare or the environment. ←

C. State and Local Authorities' Role

1. State and local actions to date

There have been no State or local remedial actions taken at the Site. The New Jersey Department of Health and Senior Services (NJDHSS) is providing health consultations to the EPA through the Agency for Toxic Substances and Disease Registry (ATSDR). Based on the results of EPA's sampling, the NJDEP issued a fish consumption advisory for the Bound Brook and its tributaries including Newmarket Pond and Spring Lake.

2. Potential for continued State/local response

It is anticipated that the NJDHSS will continue to provide technical assistance to the EPA concerning health issues at the Site. At this time, it is not known whether there will be any other future State or local actions taken at the Site.

III. THREATS TO PUBLIC HEALTH, OR WELFARE, OR THE ENVIRONMENT AND STATUTORY AND REGULATORY AUTHORITIES

The following factors described in 40 CFR Part 300.415(b)(2) of the NCP were applied in determining the appropriateness of a removal action at the Site.

- (i) Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances, or pollutants, or contaminants; and
- (ii) The availability of other appropriate federal or State response mechanisms to respond to the release.

A. Threats to Public Health or Welfare

In November 1998 EPA collected soil samples from 31 locations at the residential property at 126 Spicer Avenue. PCBs were detected in soil samples at concentrations ranging from 0.34 ppm to 6.2 ppm. Two indoor dust samples were also collected from this property. PCBs were

detected in indoor dust samples collected at concentrations of 0.23 ppm and 0.66 ppm. EPA risk assessors evaluated this data and concluded that an unacceptable risk exists for residents of this property from exposure to PCBs. The risk assessment for this property is included as Appendix B.

Exposure to hazardous substances detected at this property by direct contact, inhalation, or ingestion may, if not controlled, cause a variety of adverse human health effects. Under certain circumstances, PCBs are readily absorbed into the body. They may persist in tissues for years after exposure stops. Chemical acne, dark patches on skin, burning eyes and skin, and unusual eye discharge have been reported by all routes of exposure. Generally, onset may not occur for months. These effects may last for months. Liver damage and digestive disturbance have been reported. PCBs may impair the function of the immune system and at high levels have been shown to produce cancer and birth defects in laboratory animals. PCBs have the ability to bioaccumulate to concentrations that are toxic. A number of human studies indicate that PCBs can cross the placenta and locate in the fetus. PCBs also have the ability to concentrate in human breast milk.

B. Threats to the Environment

EPA's investigation of ecological impacts of contamination of the Bound Brook documented many contaminants at relatively high levels adjacent to and/or immediately down gradient of the Site, indicating that the Site is the primary source of many of the contaminants of concern within the section of the Bound Brook corridor investigated. An ecological risk assessment conducted, based on the results of this investigation, found that the structure and function of the Bound Brook and its stream corridor, adjacent to and downstream of the Site, is at risk from chemical contamination. Benthic organisms, fish, birds, omnivorous mammals and carnivorous mammals utilizing the stream and stream corridor were determined to be at risk.

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances from the Site, if not addressed by implementing the response action selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, or welfare, or the environment.

V. EXEMPTION FROM STATUTORY LIMITS

A. Consistency Exemption

- 1. Continued response actions are otherwise appropriate and consistent with the remedial action to be taken.**

Section 104(c) of CERCLA, as amended, limits removal actions to 12 months unless an exemption is justified by an emergency or a determination of consistency with the remedial action. Exposure to PCBs in soil at 126 Spicer Avenue, poses an unacceptable health risk for

residents of this property. The removal of PCB-contaminated soil from this property is an appropriate response action and is necessary to protect the health and welfare of residents. Future remedial actions would need to address health risks associated with PCB contaminated soil.

VI. PROPOSED ACTIONS AND ESTIMATED COST

A. Proposed Actions

1. Proposed action description

The proposed removal action involves taking over the soil removal at 126 Spicer Avenue was started by DSC under an Administrative Consent Order (Index Number: CERCLA 2005). DSC completed a work plan and conducted some sampling to delineate the extent of PCB-contamination in soil at the site. The following work required in order remains completed:

- a. Delineation of the vertical and horizontal extent of PCB contamination in soil above 1 mg/kg at the property identified as Block 337, Lots 14, 14.01 and 15 on the Tax Map of South Plainfield, New Jersey. The street address of this property is 126 Spicer Avenue.
- b. Excavation, removal and off-site disposal of PCB contaminated soil from this property. The extent of soil removal at this property shall be determined such that the 95% upper confidence limit (UCL) of the arithmetic mean PCB concentration in surface soils in the portion of the property not excavated shall not exceed 1.0 mg/kg.
- c. Verification of the attainment of cleanup objectives. Excavation shall be considered complete when the 95% UCL of the arithmetic mean PCB concentration for the ~~post-excavation~~ samples combined with the remaining surface soil samples from the portion of the property not excavated does not exceed 1.0 mg/kg. In cases where Aroclor 1254, and/or Aroclor 1260 are not detected in a sample, values equal to 1/2 of the detection limit will be substituted in all calculations. ~~Post excavation~~ ^{Non-hazardous} sampling shall at a minimum include: the collection of one sample at the bottom of each sidewall for every thirty (30) linear feet of sidewall; and the collection of one sample from the excavation bottom for every 900 square feet of bottom area.
- d. Restoration of properties disturbed as a result of these actions to pre-construction conditions.
- e. Temporary relocation of residents during soil removal and restoration activities as necessary to perform the Work.
- f. Coordination of activities with residents and the community.

2. Contribution to remedial performance

Removal action at the Site is consistent with the requirement of Section 104(a)(2) of CERCLA, which states, "any removal action undertaken...should...to the extent practicable, contribute to the efficient performance of any long-term remedial action with respect to the release or the threatened release concerned." These actions will mitigate threats posed to human health which would otherwise have to be addressed through remedial action.

3. Description of alternative technologies

No alternative technologies were considered for this removal action.

4. EE/CA

Due to the time critical nature of this removal action, an EE/CA was not prepared.

5. Applicable or Relevant and Appropriate Requirements (ARARS)

ARARS that are within the scope of these actions will be met to the extent practicable. Federal ARARS determined to be applicable include the Occupational Safety and Health Act, the Resource Conservation and Recovery Act and the Toxic Substances Control Act.

6. Project schedule

The removal action will be initiated upon approval of this memorandum. Field work is expected to take 3 weeks to complete.

B. Estimated Costs

The proposed action involves the removal and disposal of contaminated soil from the residential property located at 126 Spicer Avenue in South Plainfield and restoration of the property to pre-removal conditions. The estimated costs for this project are summarized below.

	<u>Current Ceiling</u>	<u>Cost to Date</u>	<u>Proposed Costs</u>	<u>Proposed Ceiling</u>
<u>Extramural Costs:</u>				
<u>Regional Allowance Costs:</u>				
ERRS Cleanup contractor: (including contingency)	\$332,000	\$247,022	\$ 64,371	\$311,393
<u>Other Extramural Costs:</u>				
RST/START	<u>22,000</u>	<u>10,481</u>	<u>10,000</u>	<u>20,481</u>
Subtotal Extramural Costs	354,000	257,503	74,371	331,874
Extramural Cost Contingency	<u>21,000</u>	<u>NA</u>	<u>NA</u>	<u>25,432</u>
Total Extramural Costs	\$375,000	\$257,503	\$ 74,371	\$357,306

Intramural Costs:

Intramural Direct Costs	10,000	16,195	6,600	22,795
Intramural Indirect Costs	<u>20,000</u>	<u>31,899</u>	<u>13,000</u>	<u>44,899</u>
Total Intramural Costs	<u>50,000</u>	<u>48,094</u>	<u>19,600</u>	<u>67,694</u>
Total Project Ceiling	\$425,000	\$306,407	\$ 93,971	\$425,000

VII. EXPECTED CHANGE IN THE SITUATION SHOULD NO ACTION BE TAKEN OR ACTION DELAYED

Not applicable.

VIII. OUTSTANDING POLICY ISSUES

No known outstanding policy issues are associated with this removal action.

IX. ENFORCEMENT

Notice Letters were issued to two potentially responsible parties (PRPs) on February 4, 1997 and to two additional PRPs on July 22, 1998.

X. RECOMMENDATION

This decision document represents the selected removal action for the Cornell-Dubilier Electronics Site located in South Plainfield, Middlesex County, New Jersey developed in accordance with CERCLA, as amended, and not inconsistent with the NCP. This decision is based on the Administrative Record for the Site.

Conditions at the Site meet the NCP Section 300.415(b)(2) criteria for a removal action and the CERCLA Section 104(c) consistency exemption from the 12-month limitation. The estimated costs for this project are \$97,971 of this \$64,371 is for mitigation contracting. The overall project ceiling for this Site remains unchanged at \$425,000.

Please approve the restart and 12-month exemption for the Removal Action at the Cornell-Dubilier Electronics Site as per current Delegation of Authority, by signing below.

APPROVAL: _____

DATE: _____

DISAPPROVAL: _____

DATE: _____

cc: (after approval is obtained)

W. Muszynski, ARA

R. Caspe, ERRD-D

W. McCabe, ERRD-DD

R. Salkie, ERRD-RAB

J. Rotola, ERRD-RAB

G. Zachos, ACSM/O

R. Dease, ERRD-RPB

C. Peterson, ERRD-NJRB

D. Karlen, ORC-NJSUP

B. Bellow, CD

M. Cervantes, 5202G

J. Smolenski, NJDEP

G. Wheaton, NOAA

A. Raddant, DOI

C. Kelley, RST

<NONE>

\$64,371.08

PERSONNEL

\$17,211.20

Description	Quantity	Reg Hrs/Day	OT Hrs/Day	Days	Reg Rate	OT Rate	Total
Clean-Up Technician	2	8	2	10	22.48	32.72	4,905.60
Equipment Operator	1	8	2	10	38.59	56.38	4,214.80
Field Clerk/Typist	1	8	2	10	27.58	40.37	3,013.80
Response Manager	1	8	2	10	50.77	50.77	5,077.00

EQUIPMENT

\$4,968.00

Description	RCMS #	Quantity	Daily Rate	Days	Total
Backhoe-CASE 580	03001010	1	175.00	12	2,100.00
Car-Passenger	01009010	1	35.00	12	420.00
Copier	07031010	1	15.00	12	180.00
Generator-10 KW	07051020	1	75.00	12	900.00
Office-8x30	02055030	1	10.00	12	120.00
Pickup-2 wheel drive	01036010	1	50.00	12	600.00
Telephone-Cellular/Mobile	07093010	2	2.00	12	48.00
Van-Passenger	01054030	1	50.00	12	600.00

OTHER COSTS

\$42,191.88

Description	Quantity	Cost	Total
Backfill/Topsoil	210	30.00	6,583.50
Boundry Survey	1	3,000.00	3,135.00
Disposal	250	50.00	13,062.50
Landscaping	1	5,000.00	5,225.00
Lodging	55	129.00	7,414.28
PerDiem	60	38.00	2,382.60
Phone	1	1,000.00	1,045.00
Shipping	1	200.00	209.00
Tree Removal	1	3,000.00	3,135.00

1000.00 = 154.28
6500